

HOWARD S. KALIN
BOP Register Number 54969-018
414 Lamberton Drive
Silver Spring, Maryland 20902

FILED
HARRISBURG, PA

DEC 06 2019

PER 
DEPUTY CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HOWARD S. KALIN,

Defendant.

Case Number

MOTION FOR RETURN OF PROPERTY

HOWARD S. KALIN, hereinafter referred to as "Kalin," requests the return of the property seized from him by the Federal Bureau of Prisons (BOP).

JURISDICTION

"A person aggrieved ... by the deprivation of property may move for the property's return." Fed.R.Crim.P. 41(g). "The motion must be filed in the district where the property was seized." Id.

STATEMENT OF FACTS

In 2011, Kalin plead guilty to attempted coercion and enticement of a minor pursuant to 18 U.S.C. § 2422(b). Exhibit 1 (Written Judgment in a Criminal Case). Kalin was sentenced to 120 months. Id. In 2019, while incarcerated at the Federal Correction Institution (FCI) in Allenwood, Pennsylvania, BOP staff conducted a criminal investigation and confiscated the following items:

1. Seven (7) 8 1/2 x 11 Writing Notebooks. Five of these were made into scrapbooks of newspaper/magazine articles.
2. Books. One (1) book on Pompeii. Two or Three (2-3) fiction books.
3. Legal Documents.
4. Three (3) Blick Mesh Portfolios. These contain: (a) assorted personal documents; (b) commercial coloring books and a magic card book; and (c) prayer book and religious magazines.
5. Blick Mesh Portfolio. This contains newspaper/magazine clippings to be used for upcoming book (\$100,000 value).
6. Any other property confiscated from Kalin by the BOP.

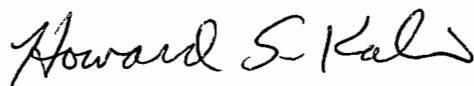
Kalin was charged with a BOP 196A Attempted Abuse of Mail. Exhibit 2 (BOP Incident Report). The Disciplinary Hearing Officer (DHO) made a finding of fact that Kalin was not guilty of the charged conduct and subsequently reduced the charge to a BOP 305 Possession of Unauthorized Property. Exhibit ___ (Waiting On DHO Report). On 27 November 2019, Kalin was released from prison and therefore cannot complete the appeal of the disciplinary action.

The BOP did not to refer the case for prosecution. The above property is therefore no longer needed by the Government and Kalin is entitled to its return.

CONCLUSION

WHEREFORE, in the interest of justice, Kalin requests the return of the property seized from him by the BOP to the address below.

Respectfully submitted,



HOWARD S. KALIN
BOP Register Number 54969-018
414 Lamberton Drive
Silver Spring, Maryland 20902

Certificate of Service

I, Howard S. Kalin, hereby certify that on the 4th day of December, 2019, I placed a true and correct copy of the foregoing "Motion for Return of Property" in the United States mail, first class postage prepaid, and properly addressed to: the United States Attorney for the District of Pennsylvania, c/o U.S. District Court, 228 Walnut Street, Harrisburg, PA 17108; to the Northeast Regional Office of the Federal Bureau of Prisons, U.S. Customs House 7th Floor, 2nd and Chestnut Streets, Philadelphia, PA 19106; and to Lt. O'Connor, Property LT, Allenwood L.S.C.I., P.O. Box 1500, White Deer, PA 17887. 28 U.S.C. § 1746

Respectfully submitted

Howard S. Kalin

Howard S. Kalin, BOP Reg No 54969-018
414 Lambertson Drive
Silver Spring, MD 20902

FILED
APR 25 2012
 Date Page 4 of 5

UNITED STATES DISTRICT COURT
 MIDDLE DISTRICT OF FLORIDA
 ORLANDO DIVISION

CLERK, U.S. DISTRICT COURT
 MIDDLE DISTRICT OF FLORIDA
 ORLANDO, FLORIDA

UNITED STATES OF AMERICA

-vs-

Case Number: 6:11-CR-197-ORL-22GJK

HOWARD SCOTT KALIN

USM Number: 54969-018

James T. Skuthan, FPD

JUDGMENT IN A CRIMINAL CASE

The defendant pled guilty to Count One of the Indictment. Accordingly, the Court has adjudicated the defendant guilty of the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
18 U.S.C. § 2422(b)	Attempted Coercion and Enticement of a Minor to Engage in Sexual Activity	May 31, 2011	One

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:

4/25/2012


 ANNE C. CONWAY
 UNITED STATES DISTRICT JUDGE

April 25, 2012

BP-A0288

JAN 17

INCIDENT REPORT

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Part I - Incident Report

1. Institution: FCC Allenwood - LSCI		Incident Report Number: 329342	
2. Inmate's Name: KALIN, Howard Scott	3. Register Number: 54969-018	4. Date of Incident: 08-08-2019	5. Time: 1215 hrs
6. Place of Incident: Gregg A Counselor's Office	7. Assignment: Food Service AM	8. Unit: Gregg	
9. Incident: Use of the mail to further criminal activity (attempted)		10. Prohibited Act Code: 196(a)	

11. Description of Incident (Date: 08-08-2019 Time: 1215hrs Staff became aware of incident)

On August 8, 2019 at approximately 1215hrs., in the Gregg A Counselor's Office, I was searching property belonging to inmate Kalin, Howard #54969-018. This property had been submitted to me by inmate Kalin, who was present during the search, as a package mail-out. Kalin also began to address the boxes for mail-out through the U.S. Postal Service. During my search of the packages, I located the attached, approximately 4" stack of papers containing numerous references to child erotica. In one example specifically, a passage in the documents described a 12 year-old child performing oral sex on another male. The passages contained numerous other instances of child erotica and sexual acts on children. Kalin's clear intent with providing me these materials was to process them through the U.S. Postal Service for mailing. When confronted with these items, Kalin stated, "That's the old me, Ms. Brown. I've gotten help through psychology in here, and I'm sorry." When questioned, the inmate could not justify his continued possession of these materials, and denied knowledge of possessing the items by stating, "I didn't know I still had it." (referring to the passages of child erotica).

12. Typed Name/Signature of Reporting Employee: B. Brown	13. Date and Time: 08-08-2019 @ 1535hrs.
14. Incident Report Delivered to Above Inmate By (Type Name/Signature): B. Brown	15. Date Incident Report Delivered: 8/8/19
16. Time Incident Report Delivered: 2:45pm	

17. Comments of Inmate to Committee Regarding Above Incident:

18. A. It is the finding of the committee that you:
- ☐ Committed the Prohibited Act as charged:
- ☐ Did not Commit a Prohibited Act.
- ☐ Committed Prohibited Act Code (s):
- B. ☐ The Committee is referring the Charge(s) to the DHO for further hearing.
- ☐ The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.

19. Committee Decision is Based on Specific Evidence as Follows:

20. Committee action and/or recommendation referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

21. Date and Time of Action: (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings).

Chairman (Typed Name/Signature):

Member (Typed Name):

Member (Typed Name):

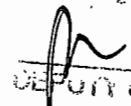
INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

Distribute: Original-Central File Record; COPY-1-DHO; COPY-2-Inmate after UDC Action; COPY 3-Inmate within 24 hours of Part I Preparation

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DEC 06 2019

PER


DEPUTY CLERK

December 4, 2019

Clerk,
U.S. District Court
228 Walnut Street
Harrisburg, PA 17108

Re: File Rule 41 Motion.

Dear Clerk,

Please file the enclosed "Motion for Return of Property" for adjudication by the Court. Please return a copy to me date and time-stamped for my records to the address below. Thank you for your consideration and assistance.

Respectfully submitted



Howard S. Kalin
414 Lamberton Drive
Silver Spring, MD 20902

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PRIORITY MAIL
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This envelope is made from post-consumer waste. Please recycle - again.

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	\$7.35 <small>Origin: 20902 12/04/19 2384820902-24</small>	
PRIORITY MAIL 2-DAY®		
		0 Lb 2.80 Oz 1006
EXPECTED DELIVERY DAY: 12/07/19		
SHIP TO:		C000
228 WALNUT HARRISBURG PA 17108-2586		
USPS TRACKING® NUMBER		
9505 5104 2317 9338 2435 41		

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DEC 06 2019

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DEPUTY CLERK

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Howard S. Kalin
414 Lambertson Drive
Silver Spring, MD 20902

TO:

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U.S. District Court
228 Walnut Street
Harrisburg, PA 17108

To schedule free
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Howard S. Kalin
414 Lambertson Drive
Silver Spring, MD 20902

TIME
SENSITIVE

Clerk
U.S. District Court
228 Walnut Street
Harrisburg, PA 17108